

# Electronic Filing News

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## CM/ECF Version 3.0

The U.S. District Court will go live on Version 3.0 of CM/ECF on March 12, 2007. The new version updates many familiar CM/ECF features and introduces several new features. The most important changes are described in this newsletter. Users should pay particular attention to the changes regarding sealed and restricted functionality and to the new spread text feature (pages 6-7).

Please do not hesitate to call the court's Help Desk if you have questions or problems. The toll free Help Desk numbers are:

**Omaha** 1-866-220-4381, option 0

**Lincoln** 1-866-220-4379, option 2

## Court Information Option

The CM/ECF welcome screen now has a new **Court Information** option that will display the following information:

- the name of the court
- the version of CM/ECF the court is currently running and the date the court went live on CM/ECF
- the file size limitation for documents
- descriptions of case flags
- the court's address, phone number, e-mail address, and hours of operation
- the PACER Service Center's address, phone number, and e-mail address

Users will not incur PACER fees for accessing the information page.



You can access PDF documents for a case without first running a Docket Report by using the new **View a Document** option on the Query menu.

## “View a Document” Option

The new “View a Document” option allows PACER users and attorneys to access most PDF documents for a case without first running a Docket Report. To take advantage of the option, however, you will need to know the filing number of the document for which you are looking.

Query

[Alias](#)  
[Associated Cases](#)  
[Attorney](#)  
[Case File Location...](#)  
[Case Summary](#)  
[Deadlines/Hearings...](#)  
[Docket Report ...](#)  
[Filings](#)  
[History/Documents...](#)  
[Party](#)  
[Related Transactions...](#)  
[Status](#)  
[View a Document](#)

## Civil Cases Report

You can now also sort cases by the nature of suit and the cause of action on the selection criteria screen.

The report now contains a warning that it is not subject to the 30-page billing cap. To avoid unnecessary PACER charges, you should use the Query menu or the Docket Report if you want to run a report only for a single case.

change the date range to a time period greater than 31 days, you will get a warning and be asked to enter a shorter date range.

**ECF** Civil • Criminal • Query • Reports • Utilities • Logout ?

**Civil Cases Report**

**Warning: This report is not subject to the 30 page billing cap.**  
 You will be billed for the total number of pages. If you want to run a report for a single case, you can use the Query Menu or the Docket Report.

Office: 4 Lincoln  
 Case type: Attorney Discipline  
 Nature of suit: 0 (zero)  
 Cause: 0 (No cause code entered)  
 Case flags: 2255MOTION  
 Terminal digit(s): 2, 4, 7  
 Filed: 2/6/2007 to 3/8/2007  
 Sort by: Nature of Suit

☒ Open cases  
☐ Closed cases

The date range fields for the report are now limited to 31 days. If you

## Criminal Cases Report

The heading of the report now displays only at the beginning of the report. Previously, the heading was

displayed in various locations when the report was printed.

## Docket Sheet Report

The appellate court name and case number now appear on the docket sheet if a case is on appeal.

A new option, "Include PDF headers," allows you to turn the headers on and off when running a Docket Report.

CM/ECF Training is available monthly. Sign up on the court's Web site at

<http://www.ned.uscourts.gov/cmecf/calendar.html>

## Case Flags

Case flags now appear at the top of each docketing screen under the case number. If the number of flags creates a display longer than two lines, a small scroll bar appears on the right side of the list of flags to display the additional flags.

Explanations for the flags can be found in the Court Information screen as described on page one of this newsletter.

## PACER Access and Preferences

The PACER Service Center now allows users to set formatting requirements for the Client Code field and indicate whether the Client Code should be mandatory when logging in to CM/ECF. This will benefit firms that use the Client Code information for billing purposes.

Also, PACER users now can determine whether they see billing receipts for every billable transaction.

To implement these new features go to the PACER Service Center Web site at

<http://pacer.psc.uscourts.gov> and click on Account Information.

The ECF/PACER login screen now includes more detailed instructions so users will know which login is expected.

It is now easier to  
modify e-mail settings.

## User Account Information

User account information is now separated into three new utility items: Maintain Your Address, Maintain Your E-mail, and Maintain Your Login/Password.

Clicking **Maintain Your E-mail** takes you directly to the new, simplified e-mail information screen.

ECF					
Civil • Criminal • Query • Reports • Utilities • Logout					
Email Information for Jennifer L. Stone					
Primary E-mail Address	Format	Delivery Method	In All		
jennifer_stone@ned.uscourts.gov	HTML	Individual NEF	Active	My Cases	Additional Options
			Yes	Yes	Hide Options
Add Additional E-mail Address		Submit	Clear		

## Changes to the Notice of Electronic Filing (NEF)

The text “No document attached” appears on the NEF when no document/document number exists for the docket entry or when no document is attached but a document number exists.

The order of information on the NEF has changed, moving the information about who is receiving electronic notice closer to the top of the NEF.

## Adding an Attachment During Docketing

When you add an attachment during docketing, you will notice that the instructions for Step 2 now state:

Before proceeding to step 3, describe the document using the Category list, the Description box, or both.

These attachment descriptions will create better, more accurate docket

entries.

Additional information on how to file attachments and indexes of evidence is available on the court’s Web page, <http://www.ned.uscourts.gov/cmecf/index.html> > “Filing Lengthy Attachments” and “Motions, Indexes, and Briefs.”

2) Before proceeding to step 3, describe the document using the Category list, the Description box, or both.

Category	Description

3) Add the filename to the list box below. If you have more attachments, go back to Step 1. When the list of click on the Next button.

## Notices in Criminal Cases and Social Security Cases

In criminal or social security cases, you will no longer receive two login screens when you receive the Notice of Electronic Filing for a document

filed. You will instead enter only your ECF login and password at the login screen.

## New Events

In addition to the new sealed/restricted events discussed below, two other new events have been added:

- Motion to Enforce IRS Summons (Civil and Criminal)

- Appeal of Magistrate Judge Final Judgment to District Judge (Criminal)

Note: This event is found under the Other Documents category. The miscellaneous fee schedule sets a \$32.00 fee for this appeal.

## Filing Sealed and Restricted Documents

Recent amendments to NECivR 7.5 and NECrimR 12.4 make it possible for attorneys to file the following sealed or restricted documents:

- Civil and Criminal Motions regarding Ex Parte Matter
- Civil and Criminal Motions to Seal, Sealed Motions, and Sealed Documents
- Civil and Criminal Motions to Restrict, Restricted Motions, and Restricted Documents

New civil and criminal events have been created for the filing of these documents:

- Motions > Ex Parte Matter
- Motions > Seal (Motion for Permission to Seal)

- Motions > Sealed Motion (This is for an actual sealed motion.)
- Motions > Sealed Motion for Temporary Transfer of Custody (criminal only)
- Other Documents > Sealed Document (This is for an actual sealed document.)
- Motions > Restrict Pursuant to E-Government Act (Motion for Permission to Restrict)
- Motions > Restricted Motion Pursuant to E-Government Act (This is for an actual restricted motion.)
- Other Documents > Restricted Document Pursuant to E-Government Act (This is an for actual restricted document.)

See page 6 for more information on how the sealed functionality works in CM/ECF.

## How the Sealed Functionality in Version 3.0 Works

### Ex Parte Motion and Order

<b>Notice</b>	<ul style="list-style-type: none"> <li>• goes only to attorneys of record for filing party.</li> <li>• indicates docket number.</li> </ul>
<b>Docket Sheet</b>	<ul style="list-style-type: none"> <li>• entry appears only for court users and attorneys of record for filing party.</li> <li>• court users and filing attorneys can access and view the document from the docket sheet.</li> <li>• opposing counsel, other registered users, and PACER users cannot see any docket entry; filing number skipped in sequence.</li> </ul>
<b>Docket Text</b>	<ul style="list-style-type: none"> <li>• states “(Ex Parte) MOTION” and “(Ex Parte) ORDER.”</li> </ul>

Our current procedure with regard to sealed orders and minute entries will not change. The parties will not receive electronic notice of a sealed order or minute entry and will not see any entry on the docket sheet.

As the software is currently configured, sealed entries on the docket sheet will no longer be visible to the party who filed the sealed documents after that party is terminated.

### Sealed Motion or Sealed Document

<b>Notice</b>	<ul style="list-style-type: none"> <li>• goes only to attorneys of record for filing party; however, the document is not accessible from the NEF.</li> <li>• indicates document number.</li> </ul>
<b>Docket Sheet</b>	<ul style="list-style-type: none"> <li>• entry appears only for court users and attorneys of record for filing party.</li> <li>• filing attorney cannot access or view document from docket sheet; court users can access and view document from docket sheet.</li> <li>• opposing counsel, other registered users, and PACER users cannot see any docket entry; filing number skipped in sequence.</li> </ul>
<b>Docket Text</b>	<ul style="list-style-type: none"> <li>• states only “SEALED MOTION” or “SEALED DOCUMENT.”</li> </ul>

### Restricted Motion or Document Pursuant to E-Government Act

<b>Notice</b>	<ul style="list-style-type: none"> <li>• goes to all attorneys of record.</li> <li>• indicates docket number.</li> </ul>
<b>Docket Sheet</b>	<ul style="list-style-type: none"> <li>• entry appears for court users and all attorneys of record.</li> <li>• all attorneys of record and court users can view and access document from the docket sheet</li> <li>• other registered users and PACER users can see the docket entry, but cannot access or view the document except upon order</li> </ul>
<b>Docket Text</b>	<ul style="list-style-type: none"> <li>• states “RESTRICTED MOTION” or “RESTRICTED DOCUMENT.”</li> </ul>

## Spreading Text in Consolidated Civil Cases

CM/ECF now has the functionality to “spread text” from a designated lead case to the member cases. You cannot use the spread text functionality unless the court enters an order consolidating the cases. The order will identify the lead case and the member cases.

Spreading text is only allowed from the lead case to member cases.

When docketing in the lead case, you will see the following screen:

the case number. Select the party filing the document and the lead case number.

### Motions

[7:07-cv-05001-LSC-FG3 Kopf v. Lucks](#)  
LENGTHOFTRIAL-3, TRIAL-NORTHPLATTE

#### Select the Party:

Kopf, Richard G. [Plaintiff] 7:07-cv-05001-LSC-FG3  
Lucks, Denise M. [Defendant] 7:07-cv-05001-LSC-FG3  
Lucks, Denise M. [Defendant] 7:07-cv-05002-LSC-FG3  
Mackling, Debbie [Plaintiff] 7:07-cv-05002-LSC-FG3

Next

Clear

It is not necessary to select the same party multiple times on this screen. The spread text functionality will automatically make the entry in all other member cases.

The docket entry will identify the “Member Cases” at the end of the entry.

The NEF can be quite lengthy. It will show the document number assigned in each case, along with the docket text. It will identify for each case who has been electronically noticed and who needs to be noticed by other means. Notice will go to all attorneys in all cases. The document will be available in the lead case and all of the member cases.

Note: Spread text **cannot** be used for complaints, answers, reassigning motions, opening cases, use of the credit card functionality, or service of process.

### Motions

Click next if case number and caption are correct.

[7:07-cv-05001-LSC-FG3 Kopf v. Lucks](#)  
LENGTHOFTRIAL-3, TRIAL-NORTHPLATTE

Do you want to spread this docket entry? ☒ Yes ☐ No

Next

Clear

The default is set to **Yes**. That default should never be changed.

### Motions

[7:07-cv-05001-LSC-FG3 Kopf v. Lucks](#)  
LENGTHOFTRIAL-3, TRIAL-NORTHPLATTE

Select associated case to which text should be spread.

ALL  
7:07-cv-05002-LSC-FG3 Mackling v. Lucks [consolidated]

Next

Clear

On the next screen the system defaults to the option of **\*\*\*\*ALL\*\*\*\***. You should always leave this default at ALL.

When docket text is created in an event that is spread, the docket text is the same for all of the cases.

At the “select the party” screen, all parties from all cases are listed with